

# UNITED STATES DISTRICT COURT

EASTERN

District of PENNSYLVANIA

UNITED STATES OF AMERICA  
v.

## JUDGMENT IN A CRIMINAL CASE (For a Petty Offense)

CASE NUMBER: DPAE2:10M0000721-001

ARTHUR E. PHILLIPS

USM NUMBER:  
Henry Hilles, III, Esq., The Palladian, 509 Swede Street,  
Norristown PA 19401

Defendant's Attorney

### THE DEFENDANT:

- THE DEFENDANT pleaded  guilty  nolo contendere to count(s) 1  
 THE DEFENDANT was found guilty on count(s) \_\_\_\_\_

The defendant is adjudicated guilty of these offenses:

Title & Section	Nature of Offense	Offense Ended	Count
36 CFR 4.23(a)	DUI	04/23/2010	1

The defendant is sentenced as provided in pages 2 through 4 of this judgment.

- THE DEFENDANT was found not guilty on count(s) (2) 36CFR4.14(b) - Open Container and  
 Count(s) (3) 36 CFR 1.5(f) Park Closure is X are dismissed on the motion of the United States.

It is ordered that the defendant must notify the United States attorney for this district within 30 days of any change of name, residence, or mailing address until all fines, restitution, costs, and special assessments imposed by this judgment are fully paid. If ordered to pay restitution, the defendant must notify the court and United States attorney of material changes in economic circumstances.

Defendant's Soc. Sec. No.: \_\_\_\_\_

April 23, 2010

Date of Imposition of Judgment

Signature of Judge

JACOB P. HART

Name and Title of Judge

May 4, 2010

Date

Defendant's Residence Address:

1441 Potter Lane

Wayne PA 19087

Defendant's Mailing Address:

1441 Potter Lane

Wayne PA 19087

DEFENDANT: Arthur E. Phillips  
CASE NUMBER: DPAE2:10M0000721-001

## CRIMINAL MONETARY PENALTIES

The defendant must pay the total criminal monetary penalties under the schedule of payments on Sheet 4.

	<u>Assessment</u>	<u>Fine</u>	<u>Restitution</u>
<b>TOTALS</b>	\$ 25.00	\$ 300.00	\$ 75.00

The determination of restitution is deferred \_\_\_\_\_. An *Amended Judgment in a Criminal Case* (AO 245C) will be after such determination.

The defendant must make restitution (including community restitution) to the following payees in the amount listed below.

If the defendant makes a partial payment, each payee shall receive an approximately proportioned payment, unless specified otherwise in the priority order or percentage payment column below. However, pursuant to 18 U.S.C. § 3664(i), all nonfederal victims must be paid in full prior to the United States receiving payment.

<u>Name of Payee</u>	<u>Total Loss*</u>	<u>Restitution Ordered</u>	<u>Priority or Percentage</u>
Valley Forge Natl. Park	\$75.00	\$75.00	
<b>TOTALS</b>	<b>\$ 325.00</b>	<b>\$ 75.00</b>	

Restitution amount ordered pursuant to plea agreement

The defendant must pay interest on restitution or a fine of more than \$2,500, unless the fine or restitution is paid in full before the fifteenth day after the date of the judgment, pursuant to 18 U.S.C. § 3612(f). All of the payment options on Sheet 4 may be subject to penalties for delinquency and default, pursuant to 18 U.S.C. § 3612(g).

The court determined that the defendant does not have the ability to pay interest, and it is ordered that:

the interest requirement is       fine       restitution.

the interest requirement for       fine       restitution is modified as follows:

\* Findings for the total amount of losses are required under Chapters 109A, 110, 110A, and 113A of Title 18 for offenses committed on or after September 13, 1994, but before April 23, 1996.

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## PROBATION

The defendant is hereby sentenced to probation for a term  
of:

Twelve months; the first Six months shall be Reporting probation and the last Six (6) months shall be non-reporting probation, commencing immediately. During the period of probation, defendant shall not commit any crimes, either misdemeanor or felony, in any jurisdiction, federal, state or local.

The defendant shall not commit another federal, state, or local crime.

The defendant shall not unlawfully possess a controlled substance. The defendant shall refrain from any unlawful use of a controlled substance. The defendant shall submit to one drug test within 15 days of placement on probation and at least two periodic drug tests thereafter as determined by the court.

- The above drug testing condition is suspended, based on the court's determination that the defendant poses a low risk of future substance abuse. (Check, if applicable.)
- The defendant shall not possess a firearm, destructive device, or any other dangerous weapon. (Check, if applicable.)
- The defendant shall cooperate in the collection of DNA as directed by the probation officer. (Check, if applicable.)
- The defendant shall register with the state sex offender registration agency in the state where the defendant resides, works, or is a student, as directed by the probation officer. (Check, if applicable.)
- The defendant shall participate in an approved program for domestic violence. (Check, if applicable.)

If this judgment imposes restitution or a fine, it is a condition of probation that the defendant pay in accordance with the Schedule of Payments sheet of this judgment.

The defendant must comply with the standard conditions that have been adopted by this court as well as with any additional conditions on the attached page.

## STANDARD CONDITIONS OF SUPERVISION

- 1) the defendant shall not leave the judicial district without the permission of the court or probation officer;
- 2) the defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month;
- 3) the defendant shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer;
- 4) the defendant shall support his or her dependents and meet other family responsibilities;
- 5) the defendant shall work regularly at a lawful occupation, unless excused by the probation officer for schooling, training, or other acceptable reasons;
- 6) the defendant shall notify the probation officer at least ten days prior to any change in residence or employment;
- 7) the defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician;
- 8) the defendant shall not frequent places where controlled substances are illegally sold, used, distributed, or administered;
- 9) the defendant shall not associate with any persons engaged in criminal activity and shall not associate with any person convicted of a felony, unless granted permission to do so by the probation officer;
- 10) the defendant shall permit a probation officer to visit him or her at any time at home or elsewhere and shall permit confiscation of any contraband observed in plain view of the probation officer;
- 11) the defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer;
- 12) the defendant shall not enter into any agreement to act as an informer or a special agent of a law enforcement agency without the permission of the court; and
- 13) as directed by the probation officer, the defendant shall notify third parties of risks that may be occasioned by the defendant's criminal record, personal history, or characteristics and shall permit the probation officer to make such notifications and confirm the defendant's compliance with such notification requirement.

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IT IS HEREBY FURTHER ORDERED that:

1. Upon approval of Pretrial Services, Defendant shall continue his current out-patient alcohol Rehabilitation/Counseling Program at the Malvern Institute, or at any facility which Pretrial Services shall approve;
2. Defendant shall not enter Valley Forge National Historical Park for a period of six (6) months from the date of this Order.